

MINUTES OF THE DAVIDSON COUNTY ELECTION COMMISSION

May 3, 2010

The Davidson County Election Commission (DCEC) met at 10:00 a.m. on May 3, 2010 in the Metro Office Building for an emergency called meeting to discuss the county primary election scheduled for May 4, 2010 in light of the massive flooding affecting Nashville on May 1 and 2, 2010. Commissioners Lynn Greer, A.J. Starling, Patricia Heim, and Steve Abernathy were present; Commissioner Bryan was absent due to flooding of his personal home. Also present were Ray Barrett (AOE), Joan Nixon, Lionel Barrett, and Bobby Medley (staff members); and Nicki Eke and Tom Cross (Metro Legal).

Chairman Lynn Greer convened the meeting.

Report on Inaccessible Precincts – AOE Barrett reported that at least six precincts are known to be inaccessible as of the meeting start time, but that a full assessment is not yet known. Several precincts are serving as emergency shelters and it is possible information will be received later in the day relative to the status of other precincts. If the election is held as scheduled on May 4, the DCEC would need to establish Emergency Vote Centers at selected locations so that voters assigned to inaccessible precincts could be accommodated at those temporary locations on May 4, 2010.

Emergency Hearing with Chancery Court - Chairman Greer reported that in order for the election to be delayed to a later date the DCEC would seek an emergency order from Chancery Court. Despite all courts being officially closed for the day, he had been assured by Chancellor Ellen Hobbs Lyle a hearing could be held. AOE Barrett noted that all voting machines previously delivered to the precincts would need to be retrieved and re-programmed as would the PEBs already picked up by Precinct Officers of Election.

Motion to Re-Schedule County Primary – Commissioner Abernathy made a motion to request an emergency order from Chancery Court to re-schedule the County Primary from May 4, 2010 to May 18, 2010. Commissioner Heim seconded the motion. Commissioners Abernathy and Heim voted in favor of the motion while Commissioners Greer and Starling voted against the motion; motion failed on a tie vote. In light of the tie vote, a brief recess was called to ascertain whether Commissioner Bryan might be able to find a way to attend the meeting for this vote.

Upon resumption of the meeting, Commissioner Greer requested that his vote on the previous motion be changed from “no” to “yes” thereby enabling passage of the motion to seek approval for delay of the election.

Motion to Use Emergency Vote Centers– Commissioner Heim made a motion to request permission from Chancery Court to use Emergency Vote Centers as necessary including the Green Hills Library, Madison Library, Edmondson Pike Library, Hermitage Library, Bellevue Community Center and the DCEC office. Commissioner Abernathy seconded the motion and it was approved unanimously.

Set Hours of Election for May 18, 2010 County Primary – Commissioner Starling made a motion to set the hours of election as 7:00 a.m. – 7:00 p.m. The motion was seconded by Commissioner Abernathy and was approved unanimously by all commissioners.

Motion to Use Absentee Ballot and Early Voting Deadlines in Effect for May 4 Election –

Commissioner Heim made a motion to limit the acceptance of by-mail absentee ballots to those received by 7:00 p.m. on May 4 and not to re-open personal appearance early voting.

Commissioner Abernathy seconded the motion and it was approved unanimously.

Next Meeting – An additional emergency meeting was set to be held immediately following the previously called Special Meeting on May 4, 2010 for the purpose of addressing any other issues relative to the re-scheduling of the County Primary Election.

There being no further business before the Commission, the meeting was adjourned.

Lynn Greer, Chairman

Patricia Heim, Member

A. J. Starling, Member

Eddie Bryan, Secretary

Steven Abernathy, Member